

1980—Pub. L. 96-328, §1(b)(2), Aug. 8, 1980, 94 Stat. 1027, substituted “Accountability for property issued to the National Guard” for “Reports of survey” in item 710.

1972—Pub. L. 92-453, §2(2), Oct. 2, 1972, 86 Stat. 759, added item 716.

1968—Pub. L. 90-486, §2(2), Aug. 13, 1968, 82 Stat. 756, substituted “Technicians: employment, use status” for “Caretakers and clerks” in item 709.

1960—Pub. L. 86-740, §1(2), Sept. 13, 1960, 74 Stat. 879, added item 715.

1958—Pub. L. 85-861, §2(13), Sept. 2, 1958, 72 Stat. 1546, added item 714.

CROSS REFERENCES

Fraud, purchase or receipt of National Guard property, see section 1024 of Title 18, Crimes and Criminal Procedure.

General military law, see section 2202 et seq. of Title 10, Armed Forces.

§ 701. Uniforms, arms, and equipment to be same as Army or Air Force

So far as practicable, the same types of uniforms, arms, and equipment as are issued to the Army shall be issued to the Army National Guard, and the same types of uniforms, arms, and equipment as are issued to the Air Force shall be issued to the Air National Guard.

(Aug. 10, 1956, ch. 1041, 70A Stat. 612.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
701	32:31.	June 3, 1916, ch. 134, §82; restated June 15, 1933, ch. 87, §17, 48 Stat. 160.

The words “shall be issued” are substituted for the words “shall * * * be uniformed, armed, and equipped with”. The words “as are issued” are substituted for the words “as are or shall be provided”. The word “Army” is substituted for the words “Regular Army”, since the Army is the category to which uniforms, arms, and equipment are issued, and the Regular Army is a personnel category only. Similarly, the words “Air Force” are used instead of the words “Regular Air Force”.

CROSS REFERENCES

Clothing for members of Army and Air Force, see sections 4562 and 9562 of Title 10, Armed Forces.

§ 702. Issue of supplies

(a) Under such regulations as the President may prescribe, the Secretary of the Army and the Secretary of the Air Force may buy or manufacture and, upon requisition of the governor of any State or Territory or Puerto Rico or the commanding general of the National Guard of the District of Columbia, issue to its Army National Guard and Air National Guard, respectively, the supplies necessary to uniform, arm, and equip that Army National Guard or Air National Guard for field duty.

(b) Whenever the Secretary concerned is satisfied that the Army National Guard or the Air National Guard, as the case may be, of any State or Territory, Puerto Rico, or the District of Columbia is properly organized, armed, and equipped for field duty, funds allotted to that jurisdiction for its Army National Guard or Air National Guard may be used to buy any article issued by the Army or the Air Force, as the case may be.

(c) Under such regulations as the President may prescribe, the issue of new types of equipment, small arms, or field guns to the National Guard of any State or Territory, Puerto Rico, or the District of Columbia shall be without charge against appropriations for the National Guard.

(d) No property may be issued to the National Guard of a State or Territory, Puerto Rico, or the District of Columbia, unless that jurisdiction makes provision, satisfactory to the Secretary concerned, for its protection and care.

(Aug. 10, 1956, ch. 1041, 70A Stat. 612; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, §1234(b)(1), (4), 102 Stat. 2059.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
702(a)	32:33 (less provisos).	June 3, 1916, ch. 134, §§83, 84, 39 Stat. 203, 204.
702(b)	32:33 (last proviso).	
702(c)	32:35.	
702(d)	32:33 (1st proviso).	

In subsection (a), the word “supplies” is substituted for the detailed description of stores, material, and equipment, since under section 101(12) of this title, “supplies” includes stores, material, and equipment. The words “may buy or manufacture” are substituted for the words “is authorized to procure * * * by purchase or manufacture”. The words “within the limits of available appropriations made by Congress” and “from time to time” are omitted as surplusage.

In subsection (b), the words “the Secretary concerned is satisfied” are substituted for the words “it shall be shown to the satisfaction of the Secretary of the Army”. The words “buy any article issued by the Army or the Air Force” are substituted for the words “purchase, from the Department of the Army, of any article issued by any of the supply departments of the Army”.

In subsection (c), the words “the issue of” are substituted for the words “whenever * * * shall have been issued * * * shall be furnished”. The words “shall be without charge” are substituted for the words “without charging the cost or value thereof or any expense connected therewith”. The words “provided for the support” are omitted as surplusage.

In subsection (d), the words “No property may be issued to * * * unless that jurisdiction” are substituted for the words “Provided, That as a condition precedent to the issue of any property as provided for by this title” and “desiring such issue”.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-456, §1234(b)(4), substituted “Territory or Puerto Rico” for “Territory, Puerto Rico, or the Canal Zone,”.

Subsecs. (b) to (d). Pub. L. 100-456, §1234(b)(1), struck out “the Canal Zone,” after “Puerto Rico,”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 18502.

§ 703. Purchases of supplies by States from Army or Air Force

(a) Subject to the approval of the Secretary of the Army, any State or Territory, Puerto Rico, or the District of Columbia may buy from the Department of the Army, for its National Guard or the officers thereof, supplies and military publications furnished to the Army, in addition to other supplies issued to its Army National Guard. On the same basis, it may buy similar property from the Department of the Air Force. A purchase under this subsection shall be for cash, at cost plus transportation.